



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,751	01/27/2004	Matthias Sunder	H 4545A US	1912
55495	7590	03/08/2006	EXAMINER	
DANN DORFMAN HERRELL AND SKILLMAN A PROFESSIONAL CORPORATION 1601 MARKET STREET SUITE 2400 PHILADELPHIA, PA 19103-2307			DOUYON, LORNA M	
			ART UNIT	PAPER NUMBER
			1751	
DATE MAILED: 03/08/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/765,751	<b>Applicant(s)</b> SUNDER ET AL.	
	<b>Examiner</b> Lorna M. Douyon	<b>Art Unit</b> 1751	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to ~~communication(s) filed on~~ RCE filed November 7, 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 76-81 and 87-95 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 76,77,80,81 and 87-95 is/are rejected.
- 7) ☒ Claim(s) 78 and 79 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☒ Certified copies of the priority documents have been received in Application No. 09/799,976.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/7/05</u> . | 6) <input type="checkbox"/> Other: _____  |

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114.

Applicant's submission filed on November 7, 2005 has been entered.

2. Claims 76-81, 87-95 are pending.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 76-77, 80-81, 87, 89, 90, 91, 93-95 are rejected under 35 U.S.C. 102(a) as being anticipated by Holderbaum et al. (CA 2,313,356), hereinafter "Holderbaum".

Holderbaum teaches a production process for laundry detergent and cleaning product tablets which comprises producing (a) deformable mass(es), supplying this mass with a pressure less than 40 bar (less than 0.4 kN/cm<sup>2</sup>) to emergence apertures, and cutting and hardening the emergent material strands (see abstract). Preferred process are those wherein the deformable

Art Unit: 1751

mass(es) is (are) supplied to the emergence apertures with a pressure below 35 bar, preferably below 30 bar, with particular preference below 20 bar, and in particular below 10 bar (below 0.1 kN/cm<sup>2</sup>) (see page 5, lines 24-31). Preferred processes for producing two-phase tablets are those wherein two deformable masses of different composition are drawn between two roll pairs and discharged as filled, hollow or multi-ply material strands from emergence apertures (which step also acts as the adhesion promoter), cut to the desired tablet dimension, and hardened (see page 7, lines 27-34). Raw materials for preferred incorporation into deformable masses originate from the group of the phosphates (see page 15, lines 12-15), which are particulates. A further mechanism by which the masses may harden is the evaporation of solvents (which is also equivalent to sintering), (see page 35, lines 37-38). Mixtures of unswollen polymer and suitable swelling agent, e.g. water, diols, glycerol, etc., may be incorporated into the masses to promote hardening (see page 14, lines 13-19). Another means for hardening is the use of a combination of water with raw materials that are anhydrous such as phosphates and carbonates (see page 14, lines 21-20). These teachings read also on the adhesion promoters, coupled with the extrusion step above. In the case of multiphase tablets, the individual phases may also differ in the amount they contain of the same ingredient, as a result of which advantages may be achieved. Processes wherein at least two of the deformable process comprise the same active subtonic in different amounts are preferred (see page 85, lines 17-28). It is preferred that one of the deformable masses comprises bleaches while another deformable mass comprises enzymes (see page 69, lines 8-12). Holderbaum teaches the limitations of the instant claims. Hence, Holderbaum anticipates the claims.

Art Unit: 1751

**Applicant cannot rely upon the foreign priority papers** to overcome this rejection because a translation of said papers has not been made of record in accordance with 37 CFR 1.55. See MPEP § 201.15.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 88 and 92 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holderbaum as applied to the above claims, and further in view of Barford et al. (EP 0,055,100).

Holderbaum teaches the features as described above. Holderbaum, however, fails to disclose the deformable mass(es) or noncompressed parts being formed by casting.

Barford teaches the equivalency of forming shaped bodies by extrusion and casting (see page 6, 2<sup>nd</sup> last paragraph).

It would have been obvious to one of ordinary skill in the art at the time the invention was made substitute the extrusion step of Holderbaum with casting step because the substitution of art recognized equivalents as shown by Barford is within the level of ordinary skill in the art.

Art Unit: 1751

***Allowable Subject Matter***

7. Claims 78-79 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The following is a statement of reasons for the indication of allowable subject matter: None of the prior art of record teaches, discloses or suggests a process for the preparation of laundry detergent or cleaning product shaped bodies in the manner as those recited, in particular, wherein adhesion promoters having the recited melting point are applied to one or more surfaces of the noncompressed parts to connect the two shaped body parts.

***Conclusion***

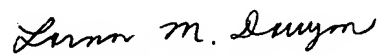
8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The references are considered cumulative to or less material than those discussed above.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lorna M. Douyon whose telephone number is (571) 272-1313. The examiner can normally be reached on Mondays-Fridays from 8:00AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas McGinty can be reached on (571) 272-1029. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1751

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Lorna M. Douyon  
Primary Examiner  
Art Unit 1751